

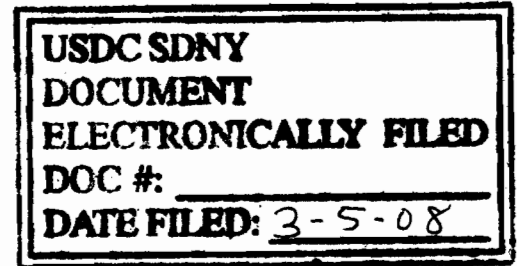
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March 4, 2008

VIA HAND DELIVERY

Hon. Leonard B. Sand
Daniel Patrick Moynihan United States Courthouse
United States Courthouse
500 Pearl St., Room 1650
New York, NY 10007



Re: Structure Probe, Inc. v. EMS Acquisition Corp.,
Civil Action No. 07-3893 (LBS)

Dear Judge Sand:

I write on behalf of both parties in this case and in response to a February 25, 2008 telephone inquiry by Your Honor's clerk. The parties have tentatively agreed to the terms of a settlement agreement that will resolve all outstanding issues in this case. To allow the parties time to finalize a settlement agreement, the parties respectfully request that any further scheduling in this case be suspended until April 4, 2008. If this is acceptable to Your Honor, the parties will either submit papers dismissing the case, or will otherwise inform the Court of the status of their settlement efforts, by April 4, 2008.

Respectfully yours,

KENYON & KENYON LLP

A handwritten signature in black ink, appearing to read 'Michael J. Freno'.

Michael J. Freno

cc: David J. Wolfsohn, Esq. (by email)
Raymond J. Dowd, Esq. (by facsimile and mail)
Joseph Nicholson, Esq.

Handwritten notes in black ink, including a signature and the date '3/5/08'.

